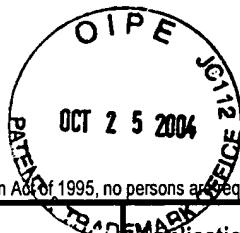


Please type a plus sign (+) inside this box

+



10/27/04

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

ITW AF

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/015,671
		Filing Date	DECEMBER 11, 2001
		First Named Inventor	KEVIN P. BAKER
		Group/Art Unit	1647
		Examiner Name	HUNNICKUTT, RACHEL KAPUST
Total Number of Pages in This Submission	46	Attorney Docket Number	39780-2830 P1C47

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Copy of an Assignment	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> AMENDMENT / RESPONSE	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> AFTER FINAL	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Version With Markings Showing Changes	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers	<input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> DECLARATION OF NAPOLEONE FERRARA, AUDREY GODDARD, PAUL J. GODOWSKI, AUSTIN GURNEY, JAMES PAN, COLIN K. WATANABE & WILLIAM I. WOOD UNDER 37 C.F.R. §1.131 WITH EXHIBIT A; AMENDMENT UNDER 37 C.F.R. §1.48(b); and STAMPED RETURN POSTCARD
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Copy of Notice		

Remarks  
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2830 P1C47.

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRLICH WHITE & McAULIFFE LLP 275 Middlefield Road, Menlo Park, California 94025	ANNA L. BARRY (Reg. No. 51,436) Telephone: (650) 324-7000	Facsimile: (650) 324-0638
Signature			
Date	OCTOBER 25, 2004	Customer Number:	35489

### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AF, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: OCTOBER 25, 2004

Express Mail Label EL 977 609 279 US

Typed or printed name	C. FONG		
Signature		Date	OCTOBER 25, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Hunnicutt, Rachel Kapust  
 )  
Kevin P. BAKER, et al. ) Art Unit: 1647  
 )  
Application Serial No. 10/015,671 ) Confirmation No. 8003  
 )  
Filed: December 11, 2001 ) Attorney's Docket No. 39780-2830 P1C47  
 )  
For: **SECRETED AND** ) Customer No. 35489  
**TRANSMEMBRANE** )  
**POLYPEPTIDES AND NUCLEIC** )  
**ACIDS ENCODING THE SAME** )

---

EXPRESS MAIL LABEL NO. EL 977 609 279 US

DATE MAILED: OCTOBER 25, 2004

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

**MAIL STOP AF**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Final Office Action mailed on August 24, 2004 in connection with the above-identified patent application (Paper No./Mail Date 0804), please enter the following amendments, and consider the following arguments. The present Amendment and Response is accompanied by the submission of declaration signed by all of the inventors, the consideration of which is respectfully requested. In addition, enclosed herewith is the Amendment Under 37 C.F.R. §1.48(b) to correct the inventorship in the present application, the consideration of which is respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.